

EXHIBIT E

CONDENSED COPY

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 Civil Action No. 07-CV-3616 (MGC)

-----x
4 BABY BEAN PRODUCTIONS LLC,

5 Plaintiff,

6 -against-

7 DC SHOES, INC.,

8 Defendant.
-----x

9 February 6, 2008

10 12:05 p.m.

11
12 Deposition of DANNY PARKS, taken by
13 Defendant, pursuant to notice, at the offices of
14 Kane Kessler, P.C, 1350 Avenue of the Americas,
15 New York, New York, before SUZANNE PASTOR, a
16 Shorthand Reporter and Notary Public within and
17 for the State of New York.

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19
20 ROSENBERG AND ASSOCIATES

21 Certified Court Reporters & Videographers

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23 New York, New York 10022

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| <p>6</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 A. Okay. Well, right now we're doing</p> <p>3 an event, which is a tour, called the Scion and</p> <p>4 Signal Snowboards Road Trip, which is a mobile</p> <p>5 marketing tour. And so I would consider that</p> <p>6 probably one event, but it's a mobile marketing</p> <p>7 tour that lasts approximately two and a half to</p> <p>8 three months long. So we manage that.</p> <p>9 Q. Other events that you're involved</p> <p>10 with?</p> <p>11 A. The King of New York.</p> <p>12 Q. What type of an event is the King</p> <p>13 of New York event?</p> <p>14 A. It's an action sports lifestyle</p> <p>15 event.</p> <p>16 Q. Any particular sport that's neat</p> <p>17 toured?</p> <p>18 A. BMX has been featured.</p> <p>19 Q. What does BMX stand for?</p> <p>20 A. Bicycle Motocross.</p> <p>21 Q. When was the first time -- for</p> <p>22 shorthand purposes during this deposition, I'm</p> <p>23 going to call the King of New York event the</p> <p>24 KoNY event. Is that okay with you?</p> <p>25 A. Sure.</p> | <p>8</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 involvement with the KoNY event?</p> <p>3 A. Personally? Or my business?</p> <p>4 Q. Your business. What's the current</p> <p>5 involvement of Baby Bean in the KoNY event?</p> <p>6 A. We manage the event. We organize</p> <p>7 it, we manage it, coordinate everything involved</p> <p>8 pretty much.</p> <p>9 Q. So when was the first KoNY event</p> <p>10 that you personally were involved in managing,</p> <p>11 organizing and coordinating?</p> <p>12 A. As I just stated -- you mean pretty</p> <p>13 much everything there? 2006.</p> <p>14 Q. And before 2006 you had involvement</p> <p>15 with the KoNY event as a sponsor or as a judge</p> <p>16 but not as an organizer or coordinator, is that</p> <p>17 fair do say?</p> <p>18 A. Not necessarily. I would help out</p> <p>19 where needed. I mean, I would help organize</p> <p>20 little things here and there. I don't recall</p> <p>21 the exact -- it -- the exact nature. But I</p> <p>22 would say more than just a judge and sponsor.</p> <p>23 Q. Is an event owned by anybody?</p> <p>24 MR. SONNABEND: I object.</p> <p>25 Q. You can answer it.</p> |
| <p>7</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 Q. When I say KoNY, K-O-N-Y.</p> <p>3 Is the KoNY event an annual event?</p> <p>4 A. It is.</p> <p>5 Q. When was the first KoNY event that</p> <p>6 Baby Bean was involved with?</p> <p>7 A. Baby Bean as an entity was involved</p> <p>8 with the first one in 2006.</p> <p>9 Q. Do you remember what month the 2006</p> <p>10 event was in?</p> <p>11 A. July.</p> <p>12 Q. Were you personally involved with</p> <p>13 any KoNY events prior to that?</p> <p>14 A. Yes.</p> <p>15 Q. What was the first event that you</p> <p>16 were personally involved with?</p> <p>17 A. Probably -- the first one, in 1995.</p> <p>18 Q. What was your involvement with the</p> <p>19 1995 event?</p> <p>20 A. I believe I was a sponsor of the</p> <p>21 event. And I may have helped judge the event.</p> <p>22 Q. What's the next KoNY event that you</p> <p>23 were involved in?</p> <p>24 A. Probably 1996. Probably 1996.</p> <p>25 Q. How would you describe your current</p> | <p>9</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 A. I would think, yes.</p> <p>3 Q. Who is the KoNY event owned by?</p> <p>4 A. Baby Bean and Luis Perez.</p> <p>5 Q. So the event is owned by Baby Bean</p> <p>6 and Luis Perez jointly?</p> <p>7 A. Correct.</p> <p>8 Q. And did there come a point in time</p> <p>9 where you formed a partnership with respect to</p> <p>10 the KoNY event?</p> <p>11 A. Yes.</p> <p>12 Q. And when did that happen?</p> <p>13 A. In approximately August of 2005.</p> <p>14 Q. You're sure of the date.</p> <p>15 A. Mm-hmm.</p> <p>16 Q. What were the circumstances under</p> <p>17 which this partnership was formed?</p> <p>18 A. I asked him, I'm starting a company</p> <p>19 and I want to get involved in the event, I want</p> <p>20 to partner up with you. And I asked his</p> <p>21 permission.</p> <p>22 Q. So at that point your goal was to</p> <p>23 change the nature of your involvement in the</p> <p>24 event from what it was to something different.</p> <p>25 A. To something different, yes.</p> |

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| <p style="text-align: right;">10</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 Q. And who is Luis Perez?</p> <p>3 A. He's a really good friend of mine.</p> <p>4 I've known him for quite a while.</p> <p>5 Q. How long?</p> <p>6 A. I'm trying to think how old I am</p> <p>7 now. Over 20 years I believe.</p> <p>8 Q. And what was Luis's involvement</p> <p>9 with the KoNY event in August of '05?</p> <p>10 A. He was the existing owner of the</p> <p>11 event I guess. He started it and, yes, he was</p> <p>12 the owner of the event.</p> <p>13 Q. Why do you say that, he was the</p> <p>14 owner of the event?</p> <p>15 A. Well, because he didn't -- he sort</p> <p>16 of had a sport organizer. Someone who helped</p> <p>17 him do the coordination, some of the -- well,</p> <p>18 some of the coordination of the event.</p> <p>19 Q. So why did you say he was the owner</p> <p>20 of the event?</p> <p>21 MR. SONNABEND: I Object.</p> <p>22 A. Because he started it. It was his</p> <p>23 event.</p> <p>24 Q. Okay, that's your definition of an</p> <p>25 owner of the event. Someone who started it?</p> | <p style="text-align: right;">12</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 Q. I think you already described that</p> <p>3 the partnership owned the event after that point</p> <p>4 in time.</p> <p>5 A. Correct.</p> <p>6 Q. Prior to that time, meaning August</p> <p>7 2005, did Danny Parks have any ownership</p> <p>8 interest in the event?</p> <p>9 A. No.</p> <p>10 Q. But as a result of this</p> <p>11 partnership, did you individually take with Luis</p> <p>12 Perez an ownership interest in the event?</p> <p>13 A. Baby Bean Productions, yes, I did.</p> <p>14 And me meaning Baby Bean Productions?</p> <p>15 Q. Well, we're talking about August</p> <p>16 2005, right?</p> <p>17 A. Right.</p> <p>18 Q. Didn't you already tell us that</p> <p>19 Baby Bean was created in January of '06?</p> <p>20 A. Correct. So -- well, we started</p> <p>21 discussing it in August of '05. And I told him</p> <p>22 that we were going to -- the reason that I</p> <p>23 started it was when I was going to start my</p> <p>24 company. And I knew it wasn't started then. It</p> <p>25 was going to be for next year in 2006. So --</p> |
| <p style="text-align: right;">11</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 MR. SONNABEND: I object.</p> <p>3 A. Someone who started it, yes,</p> <p>4 someone who started it and runs it.</p> <p>5 Q. Where is the conducted?</p> <p>6 A. It has been conducted in the past</p> <p>7 at Mullally Park.</p> <p>8 Q. Every year it's been at Mullally?</p> <p>9 A. Correct.</p> <p>10 Q. Was there an event in 2005?</p> <p>11 A. I don't believe there was. There</p> <p>12 was a year that they skipped. I'm not sure</p> <p>13 which one it was.</p> <p>14 Q. Now, you formed this partnership in</p> <p>15 August 2005 with Luis Perez, is that correct?</p> <p>16 A. Mm-hmm.</p> <p>17 Q. What was the nature of the</p> <p>18 partnership?</p> <p>19 A. That it was -- I don't quite</p> <p>20 understand your question.</p> <p>21 Q. What is the purpose of the</p> <p>22 partnership?</p> <p>23 A. What's -- I mean, what's the</p> <p>24 purpose of a partnership? To run things</p> <p>25 together.</p> | <p style="text-align: right;">13</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 repeat your question because I'm not quite</p> <p>3 following you.</p> <p>4 Q. I'll ask another question. When</p> <p>5 the partnership -- you already told us that the</p> <p>6 partnership was formed in August of 2005,</p> <p>7 correct?</p> <p>8 A. That's when we started discussing</p> <p>9 it.</p> <p>10 Q. That's when you started discussing</p> <p>11 it. So when was the partnership actually</p> <p>12 formed?</p> <p>13 A. I mean, I guess -- can you form --</p> <p>14 I'm just not quite sure if you can form a</p> <p>15 partnership -- yes, August 2005. August 2005.</p> <p>16 Q. So in August 2005 Baby Bean did not</p> <p>17 legally exist, correct?</p> <p>18 A. Correct.</p> <p>19 Q. So who were the original partners</p> <p>20 in the partnership?</p> <p>21 A. I guess myself and Luis.</p> <p>22 Q. So you individually and Luis.</p> <p>23 MR. SONNABEND: I object. He just</p> <p>24 answered that, Adam.</p> <p>25 A. Yes.</p> |

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| <p>14</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 Q. Now, at some point in time did Baby</p> <p>3 Bean Productions become a partner in this</p> <p>4 partnership?</p> <p>5 A. Well, the whole intent -- I guess</p> <p>6 technically, yes. But the whole intent was when</p> <p>7 we formed the partnership that is when I told</p> <p>8 him I was going to start my company. And so</p> <p>9 even though, yeah, I wasn't legally Baby Bean --</p> <p>10 I mean --</p> <p>11 Q. I think what we've already</p> <p>12 established is when the partnership was formed,</p> <p>13 august 2005, the original partners were yourself</p> <p>14 and Luis Perez, is that correct?</p> <p>15 A. If you want to look at it that way.</p> <p>16 Q. At some point in time thereafter,</p> <p>17 Baby Bean Productions was formed.</p> <p>18 A. Correct.</p> <p>19 Q. And did Baby Bean Productions</p> <p>20 become a partner in this partnership at some</p> <p>21 point in time?</p> <p>22 MR. SONNABEND: I object. He</p> <p>23 already answered that to the best of his ability</p> <p>24 I believe.</p> <p>25 A. To me it's semantics. It's -- Baby</p> | <p>16</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 A. I believe from 1993 I believe until</p> <p>3 either 2000 or 2001.</p> <p>4 Q. What was his job at New York City</p> <p>5 Parks Department?</p> <p>6 A. A recreation specialist I believe.</p> <p>7 Q. Did he work at Mullally?</p> <p>8 A. Yes, he did.</p> <p>9 Q. When he first created the event,</p> <p>10 was he a New York City employee?</p> <p>11 A. I don't know. You'll have to ask</p> <p>12 him that question because he was a seasonal</p> <p>13 employee. So I don't know when he created it in</p> <p>14 his mind. When the event was first thrown? Is</p> <p>15 that what you're referring to?</p> <p>16 Q. In 1995 when the event was first</p> <p>17 created, was he working as a New York City Parks</p> <p>18 employee?</p> <p>19 A. I believe in June of 1995 when the</p> <p>20 event happened, I believe he was a New York City</p> <p>21 Parks employee.</p> <p>22 Q. You say he was a seasonal</p> <p>23 employees. Which seasons did he work in, do you</p> <p>24 know?</p> <p>25 A. Summer season.</p> |
| <p>15</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 Bean Productions is me. Whether it's legal or</p> <p>3 not, I am Baby Bean Productions.</p> <p>4 Q. And did you individually transfer</p> <p>5 your partnership interest in this partnership to</p> <p>6 Baby Bean Productions at any point in time?</p> <p>7 A. I don't know how to answer that.</p> <p>8 Like I said, Baby Bean Productions is me. There</p> <p>9 was no transferring or needing to transfer or</p> <p>10 anything like that.</p> <p>11 Q. So there's no difference between</p> <p>12 you and Baby Bean Productions.</p> <p>13 MR. SONNABEND: I object to that</p> <p>14 question.</p> <p>15 You don't have to answer if you</p> <p>16 don't have an answer to that.</p> <p>17 A. I don't have an answer to that.</p> <p>18 It's semantics to me.</p> <p>19 Q. Semantics.</p> <p>20 A. I mean, legally, I guess there is,</p> <p>21 but if you ask me or Luis.</p> <p>22 Q. Was Luis a New York City Parks</p> <p>23 Department employee at any time?</p> <p>24 A. Yes, he was.</p> <p>25 Q. At what point in time?</p> | <p>17</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 Q. And I think you said he remained an</p> <p>3 employee of the New York City Parks Department</p> <p>4 in 2000-2001?</p> <p>5 A. Somewhere around there, yes.</p> <p>6 Q. At some point in time did you enter</p> <p>7 into at written agreement regarding this</p> <p>8 partnership?</p> <p>9 A. With Luis Perez?</p> <p>10 Q. Yes.</p> <p>11 A. Yes.</p> <p>12 Q. When was that?</p> <p>13 A. April of '07 or '06. April of</p> <p>14 '07 -- no. April. I can't remember the year.</p> <p>15 Q. April, you don't remember the year.</p> <p>16 A. No.</p> <p>17 Q. Either '06 or '07?</p> <p>18 A. Yes.</p> <p>19 Q. And why did you enter into this</p> <p>20 written partnership agreement at that point in</p> <p>21 time?</p> <p>22 A. It needed to be on paper.</p> <p>23 Q. But at that point the partnership</p> <p>24 had been operating for a year or two, depending</p> <p>25 on when you formed it, with no piece of paper,</p> |

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| <p>18</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 correct?</p> <p>3 A. Correct.</p> <p>4 Q. Was there a particular reason why</p> <p>5 you decided it had to be on paper at that point</p> <p>6 in time?</p> <p>7 A. Yes.</p> <p>8 Q. What was that?</p> <p>9 A. For the DC Shoes King of New York</p> <p>10 issue.</p> <p>11 Q. What do you mean by that?</p> <p>12 A. Meaning something needed to be</p> <p>13 written down on paper to show that we had a</p> <p>14 partnership. We didn't need anything written,</p> <p>15 Luis and I.</p> <p>16 Q. Because you felt that was necessary</p> <p>17 for the purposes of this lawsuit.</p> <p>18 A. Correct.</p> <p>19 Q. And who told you that? And I don't</p> <p>20 want to know what your counsel may have told</p> <p>21 you. I'm not interested in that. But if anyone</p> <p>22 other than your counsel told you that that was</p> <p>23 necessary --</p> <p>24 A. No.</p> <p>25 Q. Did you come to that determination</p> | <p>20</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 A. It's a partnership agreement. It</p> <p>3 says that we're partners in the event.</p> <p>4 Q. Anything else?</p> <p>5 MR. SONNABEND: I object. What's</p> <p>6 the purpose of this? Just to harass him?</p> <p>7 MR. COHEN: I want to know what his</p> <p>8 current recollection is of the document.</p> <p>9 Q. If you don't have any, you can tell</p> <p>10 me.</p> <p>11 A. It's a partnership agreement. It</p> <p>12 says we're partners in the event. It says we're</p> <p>13 co-owners of the event.</p> <p>14 Q. There's a lot of different things</p> <p>15 that a partnership agreement can say. I'm</p> <p>16 asking you what your understanding of what your</p> <p>17 partnership agreement says.</p> <p>18 A. And I'm telling you.</p> <p>19 Q. Tell me.</p> <p>20 A. I just did.</p> <p>21 MR. COHEN: Read it back, please.</p> <p>22 (The preceding answer was read.)</p> <p>23 A. I don't know it verbatim.</p> <p>24 Q. I don't expect you to know it</p> <p>25 verbatim.</p> |
| <p>19</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 on your own?</p> <p>3 A. With some advice.</p> <p>4 Q. So this partnership agreement was</p> <p>5 signed at some point in time in April of '06 or</p> <p>6 April of '07, correct?</p> <p>7 A. It was April of '07, I'm pretty</p> <p>8 sure.</p> <p>9 Q. Do you remember the issues that was</p> <p>10 discussed in this partnership agreement?</p> <p>11 A. Between whom?</p> <p>12 Q. In the document. What were the</p> <p>13 issues that were addressed?</p> <p>14 MR. SONNABEND: I object to the</p> <p>15 question.</p> <p>16 A. The issues that were addressed were</p> <p>17 those of forming of a partnership.</p> <p>18 Q. Which are?</p> <p>19 MR. SONNABEND: I object to the</p> <p>20 question. The document says what the document</p> <p>21 says. Why don't you put it in front of him.</p> <p>22 A. Yeah. It says in the document.</p> <p>23 Q. I will. But I'm entitled to know</p> <p>24 what your current recollection of the document</p> <p>25 is. I'll put it in front of you when I'm ready.</p> | <p>21</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 Any other issues you think are</p> <p>3 addressed in this partnership agreement other</p> <p>4 than that you're partners and co-owners?</p> <p>5 A. There's five paragraphs, four or</p> <p>6 five paragraphs. So yes, there probably are.</p> <p>7 Q. Who drafted that document?</p> <p>8 A. I did.</p> <p>9 Q. You did.</p> <p>10 A. I did.</p> <p>11 Q. Were you being assisted by counsel</p> <p>12 at that time?</p> <p>13 A. No.</p> <p>14 Q. And who are the parties to that</p> <p>15 document? Who signed it?</p> <p>16 A. Myself and Luis Perez.</p> <p>17 Q. And did you sign on behalf of</p> <p>18 yourself or on behalf of Baby Bean?</p> <p>19 A. On behalf of Baby Bean.</p> <p>20 Q. Let's take a look at it.</p> <p>21 (Defendant's Exhibit 1 for</p> <p>22 identification, Partnership Agreement, document</p> <p>23 bearing Bates production number P 000002.)</p> <p>24 Q. I'll ask you to take a look at</p> <p>25 what's been marked as Defendant's Exhibit 1.</p> |

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| <p style="text-align: right;">114</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 believe that was all for 2006.</p> <p>3 Q. So to repeat, Home Depot, Scion,</p> <p>4 Pony Malta and Azzure Denim.</p> <p>5 A. Yes.</p> <p>6 Q. Do you remember the amounts?</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 Q. That's it for 2007?</p> <p>21 A. I think so.</p> <p>22 Q. And you list several other</p> <p>23 sponsors. Those were all nonpaying sponsors?</p> <p>24 A. Product.</p> <p>25 Q. They supplied products?</p> | <p style="text-align: right;">116</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 Q. But they don't give it to you.</p> <p>3 A. They paid for the renting of it.</p> <p>4 Q. What are your expenses like to run</p> <p>5 your event?</p> <p>6 MR. SONNABEND: Again, I'd like</p> <p>7 this to be confidential.</p> <p>8</p> <p>9</p> <p>10</p> <p>11 Q. Now, I think we had marked earlier</p> <p>12 one of your sponsorship proposals, Defendant's</p> <p>13 Exhibit 2. In that -- is there pricing in here?</p> <p>14 A. In the very end.</p> <p>15 Q. So there's pricing here for your</p> <p>16 sponsorship proposal. Presenting sponsor,</p> <p>17 49,500 and on down.</p> <p>18 Have you ever had a presenting</p> <p>19 sponsor at that amount?</p> <p>20 A. We've had discussions from people,</p> <p>21 but no, we never have.</p> <p>22 Q. So you really never had any of</p> <p>23 these things -- any of these sponsorships that</p> <p>24 you talked about, have they fit into any of</p> <p>25 these categories?</p> |
| <p style="text-align: right;">115</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 A. Some of these companies are --</p> <p>3 almost all the companies supplied product as</p> <p>4 well. But these other companies supplied solely</p> <p>5 product.</p> <p>6 Q. Do any sponsors not supply products</p> <p>7 or cash?</p> <p>8 A. You mean like in lieu of other</p> <p>9 things besides?</p> <p>10 Q. I mean is there any other type of</p> <p>11 sponsorship arrangement you have where they</p> <p>12 don't pay cash or product?</p> <p>13 A. They might provide a service. I</p> <p>14 don't know if we had any of those sponsors. Oh,</p> <p>15 Red Bull for 2006.</p> <p>16 Q. How much for Red Bull?</p> <p>17 A. I'm not sure. That's an example of</p> <p>18 a company that didn't provide necessarily a</p> <p>19 product. And I don't know if they provided cash</p> <p>20 but they supplied the PA system for 2006. I</p> <p>21 don't recall if they gave us money.</p> <p>22 Q. So they allowed you to use the</p> <p>23 PA system?</p> <p>24 A. They brought in a whole PA system</p> <p>25 for us.</p> | <p style="text-align: right;">117</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 MR. SONNABEND: I object. Was that</p> <p>3 the stop of a first question and then --</p> <p>4 MR. COHEN: Yes, stop of a first</p> <p>5 question.</p> <p>6 MR. SONNABEND: Go ahead.</p> <p>7 A. Well, for 2007 and 2006, Toyota</p> <p>8 was -- Scion/Toyota was the silver package</p> <p>9 sponsor. And for 2006 Pony Malta bought the</p> <p>10 Terremoto one.</p> <p>11 Q. Where is that on this document?</p> <p>12 A. Right here. (Indicating.)</p> <p>13 Q. But they didn't pay 7,500 for it.</p> <p>14 A. Well, it was less in 2006. No,</p> <p>15 they didn't pay that in cash. They gave us a</p> <p>16 lot of product which equaled to at least that</p> <p>17 much.</p> <p>18 Q. So they paid \$1,000 in cash I think</p> <p>19 you said, and products.</p> <p>20 A. Correct.</p> <p>21 Q. Now, the partnership agreement that</p> <p>22 you have with Luis Perez, that talks about</p> <p>23 sharing revenues from the partnership.</p> <p>24 A. Correct.</p> <p>25 Q. Have you ever shared any revenues</p> |

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| <p style="text-align: right;">118</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 with Luis Perez?</p> <p>3 A. There hasn't been any revenues to</p> <p>4 share.</p> <p>5 Q. Has he ever paid for any of the</p> <p>6 expenses?</p> <p>7 A. No.</p> <p>8 Q. What involvement has Luis had in</p> <p>9 the King of New York event since 2006?</p> <p>10 A. We run ideas off one another, he's</p> <p>11 judged 2007, he is the -- he's sort of my right</p> <p>12 hand man, so to speak, in the event itself</p> <p>13 on-site. And yes, I discuss everything with him</p> <p>14 with regards to the event. Who's looking to</p> <p>15 sponsor, who sponsored us, who almost sponsored</p> <p>16 us, who do you think we should call, that type</p> <p>17 of thing.</p> <p>18 Q. Does he review sponsorship proposal</p> <p>19 e-mails that you send out before you send them</p> <p>20 out?</p> <p>21 A. No. And he doesn't review them</p> <p>22 all. The e-mails that I send are pretty generic</p> <p>23 to start off with. And I try and give him an</p> <p>24 idea of how they're going to be worded</p> <p>25 beforehand.</p> | <p style="text-align: right;">120</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 event. And six weeks before, they pulled out.</p> <p>3 I believe that had something to do with our</p> <p>4 discussions in the beginning about their</p> <p>5 involvement with the DC King of New York.</p> <p>6 Q. Why do you believe that?</p> <p>7 A. I mean, just because of their</p> <p>8 attitude about it. And them being a big company</p> <p>9 and DC being a big company, I don't know if I</p> <p>10 know how to explain it correctly, but I just</p> <p>11 feel like that if companies hear about</p> <p>12 litigation, that they're not going to get</p> <p>13 involved, they're not going to want to be</p> <p>14 involved. And I think they had hopes that this</p> <p>15 thing would have gone away and they realized</p> <p>16 that it wasn't and pulled out of our event.</p> <p>17 Q. I just noticed that you seem to be</p> <p>18 wearing a King of New York t-shirt. I didn't</p> <p>19 notice that before.</p> <p>20 A. Good luck stuff. I have my good</p> <p>21 luck stuff on today.</p> <p>22 Q. So that is a King of New York</p> <p>23 t-shirt that you're wearing?</p> <p>24 A. That is 2007.</p> <p>25 Q. Did anyone ever tell you that</p> |
| <p style="text-align: right;">119</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 He has also looked at the proposals</p> <p>3 before they've gone out, especially in 2006, he</p> <p>4 was heavily involved in that stuff.</p> <p>5 Q. Does he review or approve the King</p> <p>6 of New York press releases?</p> <p>7 A. No.</p> <p>8 Q. Does he review and approve the</p> <p>9 fliers, King of New York fliers?</p> <p>10 A. Yes.</p> <p>11 Q. Does he --</p> <p>12 A. And we're talking about '06 and</p> <p>13 '07, correct?</p> <p>14 Q. Yes.</p> <p>15 A. Okay.</p> <p>16 Q. Now, earlier in the deposition you</p> <p>17 said that you believe you've been damaged by DC</p> <p>18 in that you weren't able to sign Mazda as a</p> <p>19 sponsor.</p> <p>20 A. Yes.</p> <p>21 Q. Any other ways in which you feel</p> <p>22 you've been economically damaged by what DC has</p> <p>23 done or has not done?</p> <p>24 A. Well, Red Bull gave us a verbal</p> <p>25 confirmation in '06 about sponsoring the 2007</p> | <p style="text-align: right;">121</p> <p>1 Danny Parks - February 6, 2008</p> <p>2 that's why Red Bull pulled out in 2007?</p> <p>3 A. No.</p> <p>4 Q. You said they had made a verbal</p> <p>5 commitment to you before that.</p> <p>6 A. Yes, they pretty much told us --</p> <p>7 well, verbal and through e-mails.</p> <p>8 Q. Do you have e-mails showing --</p> <p>9 A. You guys should have that. With an</p> <p>10 offer of a certain amount. I think it was --</p> <p>11 originally it was \$1,500 and then they upped it</p> <p>12 to \$2,000.</p> <p>13 Q. Other than what you've testified,</p> <p>14 do you have any other basis for believing that's</p> <p>15 why Red Bull pulled out?</p> <p>16 A. No. Red Bull, no.</p> <p>17 Q. Any other ways in which you feel</p> <p>18 you've been economically damaged by DC?</p> <p>19 A. Yeah. I mean, there's King of New</p> <p>20 York -- DC King of New York stuff all over the</p> <p>21 internet. And I think Baby Bean calling up a</p> <p>22 potential sponsor and trying to solicit from</p> <p>23 them, I mean, I had this the other day. I</p> <p>24 talked to Zumiez and Zumiez thought we were the</p> <p>25 DC event. And I said no, we're not DC King of</p> |